

1 BILL NO. R-85-08-07, it would appear that the financing of the
2 Project would be of public benefit RESOLUTION NO. R- 99-85

3 A RESOLUTION FINDING, DETERMINING
4 AND RATIFYING AN INDUCEMENT RESOLUTION
5 OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION
6 AUTHORIZING THE ISSUANCE AND SALE OF
7 \$2,000,000.00 ECONOMIC REVENUE BONDS OF THE
8 CITY OF FORT WAYNE, INDIANA
9 FOR THE PURPOSE OF INDUCING THE APPLICANT.

RICHARD J. FREELAND

NOW THEREFORE TO PROCEED WITH THE ACQUISITION COUNCIL OF THE
10 CONSTRUCTION AND EQUIPPING OF THE PROJECT
11 CITY OF FORT WAYNE, INDIANA

12 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is
13 SECTION 1. The Common Council finds, determines, ratifies and
14 authorized by I.C. Sec. 36-7-12 (the "Act") to issue revenue
15 bonds for the financing of economic development facilities, the
16 and job opportunities in and near Fort Wayne, Indiana and in Allen
17 funds from said financing to be used for the acquisition,
18 County, is desirable to preserve the health, safety and general
19 construction and equipping of said facilities, and said facili-
20 welfare of the citizens of the Issuer; and that it is in the public
21 ties to be either sold or leased to another person or directly
22 interest that Fort Wayne Economic Development Commission and said
23 owned by another person; and
24 Issuer take such action as it lawfully may to encourage diver-
25

WHEREAS, Richard J. Freeland (the "Applicant") has advised the
16 sification of industry and promotion of job opportunities in and
17 Fort Wayne Economic Development Commission and the Issuer that it
18 near said Issuer.

proposes that the Issuer acquire and equip an economic development

19 SECTION 2. The economic Development Commission in recom-
20 mending the project, found specifically that the project will not
21 proceed of an economic development financing to the Applicant for
22 have an adverse competitive effect on similar facilities already
23 the same, said economic development facility to be construction of
24 constructed or operating in Allen County, Indiana, and the Common
25 office, administrative, and training facilities, together with
26 Council has also held a hearing and specifically finds that the
27 acquisition of furniture and equipment and site work, located at
28 project will not have an adverse competitive effect on similar
29 7100 W. Jefferson Blvd., Allen County, Indiana, including costs of
30 facilities already constructed or operating in Allen County,
issuance, said Project to be leased to Pizza Huts of Fort Wayne,
Indiana.

Inc., (the "Project"); and

SECTION 3. The Common Council further finds, determines,

WHEREAS, the diversification of industry and an increase in
ratifies and confirms that the issuance and sale of revenue bonds
40 new jobs within three years to be achieved by acquisition and
in an amount not to exceed \$2,000,000.00 of the Issuer under the
construction and equipping of the Project will be of public benefit
29 Act for the acquisition, construction and equipping of the
30 Project and the sale or leasing of such a firm to the
citizens; and
31 Applicand for such purposes will serve the public purpose

WHEREAS, having received the advice of the Fort Wayne Economic
32 referred to above, in accordance with the Act.

1 Development Commission, it would appear that the financing of the
2 Project would be of public benefit to the health, safety and general
3 welfare of the Issuer and its citizens; and

4 WHEREAS, the acquisition and construction of the facility will
5 not have an adverse effect on any similar facility already
6 constructed or operating in or about Fort Wayne, Indiana.

7 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
8 CITY OF FORT WAYNE, INDIANA:

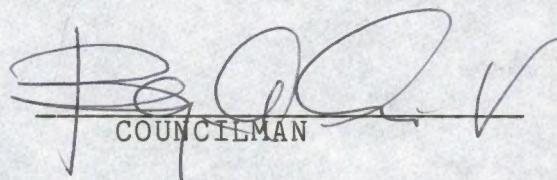
9 SECTION 1. The Comon Council finds, determines, ratifies and
10 confirms the promotion of diversification of economic development
11 and job opportunities in and near Fort Wayne, Indiana and in Allen
12 County, is desirable to preserve the health, safety and general
13 welfare of the citizens of the Issuer; and that it is in the public
14 interest that Fort Wayne Economic Development Commission and said
15 Issuer take such action as it lawfully may to encourage diver-
16 sification of industry and promotion of job opportunities in and
17 near said Issuer.

18 SECTION 2. The Economic Development Commission in recom-
19 mending the project, found specifically that the project will not
20 have an adverse competitive effect on similar facilities already
21 constructed or operating in Allen County, Indiana, and the Common
22 Council has also held a hearing and specifically finds that the
23 project will not have an adverse competitive effect on similar
24 facilities already constructed or operating in Allen County,
25 Indiana.

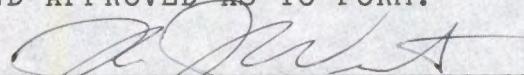
26 SECTION 3. The Common Council further finds, determines,
27 ratifies and confirms that the issuance and sale of revenue bonds
28 in an amount not to exceed \$2,000,000.00 of the Issuer under the
29 Act for the acquisition, construction and equipping of the
30 Project and the sale or leasing of such a financing to the
31 Applicant for such purposes will serve the public purpose
32 referred to above, in accordance with the Act.

1 SECTION 4. In order to induce the Applicant to proceed with
2 the acquisition, construction and equipping of the Project, the
3 Common Council hereby finds, determines, ratifies and confirms
4 that (i) it will take or cause to be taken such actions pursuant
5 to the Act as may be required to implement the aforesaid
6 financing, or as it may deem appropriate in pursuance thereof,
7 provided that all of the foregoing shall be mutually acceptable
8 to the Issuer and the Applicant; and (ii) it will adopt such
9 ordinances and resolutions and authorize the execution and deli-
10 very of such instruments and the taking of such action as may be
11 necessary and advisable for the authorization, issuance and sale
12 of said economic development bonds.

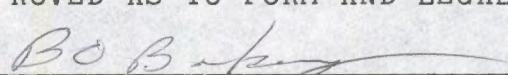
13 SECTION 5. All costs of the Project incurred after the
14 passage of this Inducement Resolution, including disbursement or
15 repayment of the Applicant of monies expended by the Applicant
16 for planning, engineering, interest paid during construction,
17 underwriting expenses, attorney and bond counsel fees, acquisi-
18 tion, construction and equipping of the Project will be permitted
19 to be included as part of the bond issue to finance said Project,
20 and the Issuer will thereafter either sell or lease the same to
21 the Applicant or loan the proceeds of such financing to the
22 Applicant for the same purposes.

23 
24 COUNCILMAN

25 ADOPTED BY ECONOMIC DEVELOPMENT COMMISSION
26 AND APPROVED AS TO FORM.

27 
John J. Wernet, Attorney for the
28 Economic Development Commission
Dated this 12th day of August, 1985

29 APPROVED AS TO FORM AND LEGALITY.

30 
Bruce O. Boxberger, City Attorney
31 Dated this 12th day of August, 1985

32

Read the first time in full and on motion by Eisbark
seconded by Stier, and duly adopted, read the second time
by title and referred to the Committee Talarico (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne
Indiana, on _____, the _____, day of _____
, 19_____, at _____ o'clock _____ M., E.

DATE: 8-13-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbark
seconded by Stier, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	—	—	—	—
<u>BRADBURY</u>	<u>✓</u>	—	—	—	—
<u>BURNS</u>	<u>✓</u>	—	—	—	—
<u>EISBART</u>	<u>✓</u>	—	—	—	—
<u>GiaQUINTA</u>	<u>✓</u>	—	—	—	—
<u>HENRY</u>	<u>✓</u>	—	—	—	—
<u>REDD</u>	<u>✓</u>	—	—	—	—
<u>SCHMIDT</u>	<u>✓</u>	—	—	—	—
<u>STIER</u>	<u>✓</u>	—	—	—	—
<u>TALARICO</u>	<u>✓</u>	—	—	—	—

DATE: 8-27-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. B-99-85
on the 27th day of August, 1985.

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 28th day of August, 1985,
at the hour of 11:30 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 4th day of September,
1985, at the hour of 3:00 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

SUMMARY SHEET
ECONOMIC DEVELOPMENT REVENUE BOND
FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION

Name of Applicant: Richard J. Freeland

Type of Project:	Project/Service
<input type="checkbox"/> Agricultural	
<input type="checkbox"/> Manufacturing	
<input type="checkbox"/> Wholesale	
<input checked="" type="checkbox"/> Retail	Corporate Office for Pizza Huts of Ft. Wayne
<input type="checkbox"/> Service	
<input type="checkbox"/> Multi-Family Housing	

Location of Project: 7104 West Jefferson Blvd., Allen County
Zoning: A-3 Estates

within county

Contact Person: Norman S. Snow, attorney

Amount of Issue: \$ 2,000,000

Description of Project:

The project will consist of construction of an office, administrative, and training facilities, together with acquisition of furniture, equipment, and site work, and including costs of issuance

No. of Jobs and Annual Payroll to be Created:

In one (1) year 25 Jobs: \$ 350,000

In three (3) year 40 Jobs: \$ 600,000

Adverse Competitive Effects:

Anyone who sells pizza would technically be a competitor; however, as this project is earmarked for administrative offices and training facilities, it should not put the competitors at a disadvantage.

E.D.C. Recommendation: x Pass (8/1/85) Do Not Pass

Comments: This is a change of location from an earlier Inducement Resolution which was passed 9/25/84 and was located at 1701 Magnavox Way

BILL NO. R-85-08-07

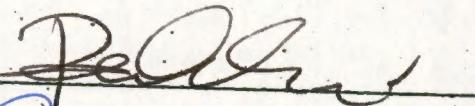
REPORT OF THE COMMITTEE ON FINANCE

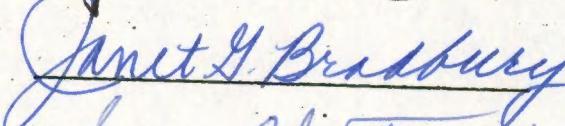
WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) FINDING, DETERMINING
AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC
DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF
\$2,000,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA
FOR THE PURPOSE OF INDUCING THE APPLICANT RICHARD J. FREELAND
TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE
PROJECT

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION) DO PASS DO NOT PASS WITHDRAWN

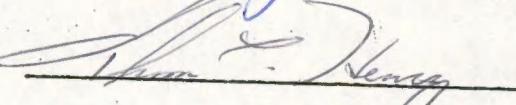
YES

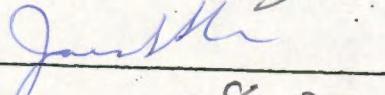
NO


BEN A. EISBART
CHAIRMAN


JANET G. BRADBURY
VICE CHAIRWOMAN


SAMUEL J. TALARICO


THOMAS C. HENRY


JAMES S. STIER

CONCURRED IN

8-27-85

SANDRA E. KENNEDY
CITY CLERK

SUMMARY SHEET
ECONOMIC DEVELOPMENT REVENUE BOND
FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION

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Agricultural	
Manufacturing	
Wholesale	
<input checked="" type="checkbox"/> Retail	Corporate Office for Pizza Huts of Ft. Wayne
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Multi-Family Housing	

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within county

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Comments: This is a change of location from an earlier Inducement Resolution which was passed 9/25/84 and was located at 1701 Magnavox Way.

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REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE

TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) FINDING, DETERMINING
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LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION) DO PASS DO NOT PASS WITHDRAWN

YES

NO

BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

SAMUEL J. TALARICO

THOMAS C. HENRY

JAMES S. STIER

CONCURRED IN

8-27-85

SANDRA E. KENNEDY
CITY CLERK